

**Gunnison Basin Wild and Scenic Stakeholder Group
Subgroup Meeting**

**Delta Performing Arts Center
822 Grand Ave., Delta Colorado
January 21, 2011 7:00 p.m.**

DRAFT NOTES

SUMMARY

The meeting began with a presentation of the BLM's report on a reassessment of the rareness rankings of key vegetation types that were listed as Outstandingly Remarkable Values (ORV's) in the Wild & Scenic Rivers eligibility report. Under the reassessment, Potter Creek loses the only ORV listed for it in the eligibility report.

The group then sought consensus on Wild & Scenic suitability and other management options for Gunnison River Segment 2, Roubideau Creek Segments 1 and 2 and Potter and Monitor Creeks.

Wild & Scenic suitability proponents stated that Roubideau Segment 1 and Monitor and Potter Creeks should be considered together and all be found suitable with the same ORV's; most objections centered around the potential impact on current water right holders. A smaller subcommittee was assigned to attempt to find consensus on these segments and has agreed to meet on February 1.

At the conclusion of the meeting, large majorities indicated that Gunnison River Segment 2 and Roubideau Creek Segment 2 should be found not suitable for Wild & Scenic status.

DETAILS

Richard Connell, of the Farm Bureau, facilitated the meeting and welcomed the participants (sign-in sheet attached at end of notes). Hannah Holm took notes.

BLM Presentation

Edd Franz of the BLM presented a report (attached to email) on revisions to the rareness rankings of vegetation types that were identified by the BLM the Outstandingly Remarkable Values (ORV's) that made several segments eligible for Wild & Scenic status.

- The original eligibility report included out-dated rareness rankings for some plant communities.
- The rareness rankings were reevaluated as a result of the Wild & Scenic suitability review process and ORV's have been dropped in instances where the vegetation types have turned out to be less rare than previously thought.
- As a result, some segments are no longer WSR eligible according to the BLM's original eligibility criteria.

Discussion

- In response to questions about whether the eligibility report would be corrected, Barb Sharrow, Field Manager for BLM's Uncompahgre Field Office, stated that an errata report would be issued after all information from the stakeholders was gathered.

- In response to a question about why the BLM used the Colorado Natural Heritage Programs G2 ranking the rareness threshold for Wild & Scenic eligibility, BLM representatives responded that it was a professional judgment, and Richard Connell added that he understood the criteria to be strongly justified by science.
- Several people commented that segments where vegetation was the only ORV, and that was now gone, should no longer be considered for suitability.
- It was noted that Monitor Creek previously had 3 vegetation ORV's, but only one was still valid: an "A" ranking indicating an excellent example of the vegetation type, despite the fact that the vegetation type is not classified as rare.
 - In response to comments that if it wasn't rare, it shouldn't be an ORV, Edd Franz of the BLM noted that it fell under the "exemplary" category for ORV eligibility.
- It was noted that the plant species terminology in the new report doesn't match the terminology in the original eligibility report.

Process

Richard Connell offered that if at the end of the discussion of the segments on the table, there was no consensus, participants could do minority and majority reports.

He set out the following process for discussing the segments:

1. Ask proponents of Wild & Scenic suitability for particular segments to:
 - a. State the goals they hope to achieve through a suitability determination.
 - b. Identify any other tools that would work to achieve those goals.
2. Ask opponents of Wild & Scenic suitability for particular segments to:
 - a. Identify the problems a suitability determination would cause.
 - b. Note if these problems could be addressed with conditions on a suitability determination.
 - c. Say what management options would work.

Process discussion

Some participants took issue with the definition of consensus as 100%; Richard responded that consensus means agreement, and he wants the group to be able to make a recommendation that will be acceptable. After further discussion about the need not to let a few people hold up the process, it was noted that the goal was to try to reach agreement through really listening to each other and then, if that was not successful, resort to separate reports.

Gunnison River, Segment 2

Suitability Proponents

Speaking for Wild & Scenic suitability proponents, Steve Smith of the Wilderness Society outlined the criteria a coalition of participating environmental groups had developed in order to decide which segments they thought should be found suitable for Wild & Scenic status:

- Recognition of ecological and community values, including private property rights.
- Ability of Wild & Scenic suitability to protect the segments.
- Opportunity to show that the Wild & Scenic Rivers Act can be applied creatively to meet community needs.

Specifically on Gunnison River, Segment 2, Steve said the groups thought the segment would be suitable because of the strong community value of the endangered fish that use the segment IF the boundaries of the segment were adjusted to make the corridor 100% federally owned.

Discussion

- In response to a question about whether the Endangered Species Act (ESA) would adequately protect the fish, Steve responded that the ESA is a heavy tool and could work, but a well-crafted suitability finding could respond better to community needs.
- In response to a question about whether this segment was the only place the fish were present, Steve said no, but all the populations are important, because the range is much reduced from what it historically was.
- In response to a question about whether the fish ladder would help the fish, he said it would help.
- In response to a question about how a suitability finding would help the fish, it was noted that a suitability finding would be a BLM commitment that whatever they did would be scrutinized for its potential impact on the fish.
- Several people noted that the ESA already protects the fish, and reservoir operations are already managed to meet their flow needs.

Suitability opponents

Richard called on adjacent landowner Anna Hutchins to explain her objections. She noted that:

- Once it's found suitable, people will want to go there.
- There are bluffs on one side and dry land on the other (where private land is), and no boundary between the BLM and private land.

Several other participants also offered reasons the segment should be found unsuitable:

- The river can change its course and move onto private land.
 - Changing the width of the corridor wouldn't help landowners, because the river could move.
 - In response to a question about whether a channel change would affect a suitability decision, Barb Sharrow replied that the decision would stay in place until the next plan revision (about 20 years).
- All BLM could do with management would be to react to problems.
- All BLM could do with a suitability finding would be to cause problems for people seeking to make changes to their diversion structures.

Discussion

- In response to a question about what would be left if the private land was taken out of the segment, Edd Franz of the BLM noted that the Wild & Scenic Rivers Act requires a maximum area of 320 acres/ mile, but you could have a full ¼ mile corridor on one side and less on the other. You might end up with an area of 100 acres total.
- In response to questions about how a suitability finding would affect BLM's management, BLM staff noted that they had heard that people talking about wanting a take-out on public land above the down-stream dam. If the segment were found suitable for Wild & Scenic status, they would have to assess any proposal for a take out for its potential impact on fish and probably would not approve one.
- In response to a question about whether there was an existing instream flow right on the segment, Dave Kanzer of the Colorado River District noted that there isn't an instream flow right in the state system, but BOR is operating the Aspinall Unit for the needs of the fish. There are minimum flow requirements above and below, so Wild & Scenic protections for this small segment would have no impact on flows.
- In response to a question about whether the channel was naturally occurring, BLM staff stated that it was.

Roubideau Segments 1 & 2, Potter Creek, Monitor Creek

Proponents of Suitability

Roubideau 2

Steve Smith of the Wilderness Society stated that because of the fragment public land along Roubideau Creek, Segment 2, the groups he was representing were not pushing for Wild & Scenic suitability for that segment.

Roubideau 1, Potter, Monitor

Steve stated that these three segments occupy the same landscape, are connected, and share the characteristics that make them special – the recreational ORV for Roubideau Segment 1 should be applied to the other two segments as well.

Wilderness advocate Jim Riddell, who has hiked extensively in this area, noted a tone of reluctance in the group to have new federal restrictions imposed. He offered the analogy that if you have a really great cow, it would make sense to take special care to ensure that nothing happened to her. The goal is to keep it the same.

Jim noted that the three creeks are all part of one system and it makes sense to lump them into one unit – the road that excluded Monitor and Potter from the Camelback Wilderness Study Area hasn't been used for 20 years. He stated that in addition to the recreation ORV, Potter and Monitor should also have the same wildlife ORV's as Roubideau 1, since he has seen the same wildlife throughout the area.

- In response to a question about whether Potter should be dropped from consideration because it lost its sole ORV, based on vegetation, Barb Sharrow responded that it was just as fair to add a "missed" ORV as to drop an erroneous ORV – IF the new ORV met the original criteria.
- In response to a question about whether the BLM had done any further analysis since applying a recreational ORV to Monitor and Potter Creeks was suggested, BLM staff stated that regional recognition of the area's recreational opportunities was not found beyond Roubideau Creek, and the solitude to be found as a result made the areas more suitable for wilderness designation than "Wild & Scenic."

Steve Smith also noted the near-total public ownership of the corridors as a factor in favor of their suitability.

Opponents of Suitability

A landowner noted that if BLM has a water right, even a junior one, it could cause problems if existing landowners and water right holders want to change their water right in some way.

- Steve Smith noted that a suitability finding would have no impact on water rights, and that was why his groups were distinguishing between a suitability finding and a "Wild and Scenic" declaration by Congress.
- Landowner Jim Graziano noted that once you find it "suitable," the Congressional declaration is the direction you are headed, and pressure will be applied in that direction, regardless of what you say.

Discussion

Richard Connell asked the opponents what we should do to protect these segments, if not suitability? Several comments were offered:

- If BLM would enforce existing regulations with proper infrastructure & containment, the area would stay wild & scenic forever.
- The Camelback Wilderness Study Area and Mother Nature (in the form of rough terrain) are taking care of it.
- Could the area be a special recreation management area?
 - BLM staff responded that public input had been gathered through meetings and BLM was looking at the Roubideau area for this.
- What's the duration of an Area of Critical Environmental Concern?
 - about 20 years, same as Wild & Scenic suitability.
- What is BLM already doing?
 - Dry Creek Travel Management Plan (recent) closed vehicle routes.
- Richard Connell noted that East Creek, considered in the Grand Junction Field Office Wild & Scenic stakeholder process, had similar attraction & they recommended facilities & containment – should we recommend that here?
- Richard noted that of all the segments looked at, Roubideau 1 stood out as potentially the most suitable – what would be the harm in that?
 - Some noted that a suitability finding would bring more people & potentially damage rock art and vegetation.
 - Barb Sharrow challenged the crowd to name what local rivers were already classified as suitable in order to demonstrate that suitability findings aren't publicized; they are a management tool. Others noted that the rock art was already known about.
- The comment was offered that when a suitable segment had a "Wild" classification, it seemed to open up lawsuit potential; fewer objections to a "Scenic" or "Recreational" classification.

How Suitability would Affect BLM Management

Throughout the discussions on the segments, questions were raised about how a suitability finding would affect BLM's ability to protect ORV's. BLM staff responded.

- Barb Sharrow noted that BLM is looking at LOTS of things with the Resource Management Plan revision process; Wild & Scenic suitability is only one tool of many – for some segments it may be the best, for others not.
- In response to a question about what the suitability "tool" really is, BLM staff responded that it would require that all proposals be analyzed for their impact to the Wild & Scenic Rivers Act classification and ORV on the segment.
- In response to a question about whether projects would even come in on a "Wild" segment that was on 100% BLM land, the example was offered that if there were a campground proposal, they would have to assess whether they could do it without impacting the classification. The suitability finding would create a blueprint for future decisions.

Next Steps

Richard Connell asked the proponents of suitability if they wanted to modify their proposal at all.

Jim Riddell noted that the group seemed to have something close to consensus: "It's special, let's protect it but keep it our little secret." How can bureaucracy do that?

Steve Smith made the following points:

- Proponents of suitability were willing to avoid private land and keep focus on BLM management.

- In regards to concern about attracting more people, he said he doubted it would happen.
- Suitability keeps it how it is & preserves options for next generation.
- Suitability especially works for Monitor, Potter and Roubideau segment 1.
- Gunnison Segment 2 has other protections and they could be open to non-suitability approach of others consider Monitor, Potter and Roubideau Segment 1 and there is community support for the other protective measures on Gunnison Segment 2.

Jim Graziano asked why not put protective measures in place without the “suitability” label that is a step towards Congressional designation whether we want it or not?

- Steve Smith responded that he wanted to hang onto each of the tools, including suitability that might work to protect the area and not back off in hopes that something else would happen in the absence of any guarantees.

Subcommittee Formed for Potter, Monitor, Roubideau 1

At Richard Connell’s suggestion, a subcommittee was formed to seek common ground on management options for Monitor, Potter and Roubideau Segment 1, comprised of landowners, water right holders and wild & scenic advocates: Jim Graziano, Jim Riddell, Steve Smith, Wanda Boyd, Larry Boyd, Mike Clark, Mandy Rumbold, Steve Tuck. The group agreed to meet February 1.

Other segments

Richard Connell posed the question of whether the group was in favor of or against suitability for Gunnison River Segment 2 and Roubideau Segment 2. The results of the “thumbs” voting were:

- Gunnison 2: Suitable – 1; Non-suitable – 22; several abstentions.
- Roubideau 2: Suitable – 0; Non-suitable – 23; several abstentions.

Reporting

Tom Alvey and Steve Weist agreed to report out to the full stakeholder group at the Monday, January 24 meeting.

Gunnison Basin Wild & Scenic Subcommittee

1-21-2011

<u>name</u>	<u>org</u>	<u>e mail</u> ^{cit us} ^{don} ^{how} ^{it}
Ogden McGee	TDR	
Heidi McGee	TDR	
Hank Cohnen	DCI	hank@deltacountyindependent.com
STEVE SMITH		
Richard Connell		
Bill Pease		
Marlin & Deb Littlefield	Crawford Co	
Katie Stevens		
Edd Franz		
Steve Weist	SUB RAC	
Marlin Littlefield		
Mike Wilson	Im 20	602 602 3472 d4401m1.c
Jim GRAZIANO	MOUNTAIN MESA RANCH	
Anna Hutchins		
Kent Davis		kodavis@scalartranch.com
Mandy Rumble		rumblemandy@gmail.com
Wanda & Larry Boyd		LRWKBoyd@aol.com
Stephen Tuck		
Paul Schmucker		
Tom Allyn		
Darryl Rumble		datchey@deltacounty.gov
Mike Clarke		mrctree@aol.com
Betty Glesby		bglesby@yahoo.com
Dave Kanzer		dikanzer@crwd.org